

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL MCCARTHY, et al.,

Plaintiffs,

-against-

CHARLES D. BAKER, et a.,

Defendants.

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) CIVIL ACTION NO.
) 1:20-cv-10701-DPW
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DECLARATION OF ALAN GOTTLIEB

I, Alan Gottlieb, declare as follows:

1. I have personal knowledge of the facts stated herein, and if called as a witness, I could competently testify to these facts. This declaration is executed in support of Plaintiffs' motion for Summary Judgment.
2. I am the founder of the Second Amendment Foundation ("SAF"). Acting in this role within the organization, I am familiar with SAF's membership.
3. SAF is a non-profit corporation organized under the laws of Washington with its principal place of business in Bellevue, Washington. SAF seeks to preserve the effectiveness of the Second Amendment through educational and legal action programs. SAF has over 650,000 members and supporters nationwide, including members in Massachusetts. SAF's purpose includes education, research, publishing, and legal action focusing on the constitutional right to own and possess firearms under the Second Amendment, and the consequences of gun control.

4. The Court's decision in this case directly impacts SAF's organizational interests, as well as SAF's members and supporters in Massachusetts, who seek to exercise their Second Amendment rights. SAF's membership and donors consist of Second Amendment supporters, people who own guns for self-defense and sport, firearms dealers, shooting ranges, and elected officials who want to restore and protect the right to keep and bear arms in Massachusetts. The relief that SAF seeks in this lawsuit is germane and directly related to our organization's purposes, and we are therefore suing on SAF's own behalf, and on behalf of our members.

5. By and through communications and discussions with SAF members, I am aware that many of our members are concerned about the ability to purchase guns and ammunition as most if not all of our members wish to exercise their fundamental constitutional rights and have for lawful purposes including self-defense, proficiency training, hunting, and sport, firearms and ammunition. Members have expressed concern that, if a predicted second wave of COVID-19 comes to fruition, gun retailers and ranges will be ordered to closed, cutting off those members ability to purchase guns and ammunition as well as the ability to maintain proficiency.


6. SAF has also, itself, had to divert time and resources, including financial resources to advance the causes set forth in this lawsuit, and to devote staff time and attention to the matters that are being challenged in the lawsuit. Failure to obtain the relief requested in the lawsuit would result in severe frustration of the purpose and mission of our organization.

7. Our law-abiding adult members who are, like me, typical citizens without any special government exemptions to the laws or special access to firearms, ammunition, and government ranges, have been injured in the same manner described in the lawsuit

and motion, including as asserted by the Individual Plaintiffs. This lawsuit is brought to vindicate our Massachusetts members' right to lawfully purchase, own, use, and maintain proficiency with rifles, shotguns, and handguns, and also brought in a representative capacity to advance the rights of similarly-situated Massachusetts residents and visitors who may be prohibited from buying rifles, shotguns, and ammunition, or practicing at a range.

8. Accordingly, and for the reasons set forth in the motion and supporting memorandum, we are respectfully requesting that the Court grant Summary Judgment, so that Plaintiffs and Plaintiffs' members, and others similarly situated to them can exercise their fundamental constitutional rights.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 23, 2020.



Alan Gottlieb